

SUMMARY OF PARTIES' CURRENT POSITIONS ON PROPOSED SCHEDULING
ORDERS IN C.A. NO. 04-1337-KAJ, C.A. NO. 04-1338-KAJ, AND C.A. NO. 04-1536-KAJ

EVENTS	OPTREX (SINGLE PARTY)	1337/1338 DEFENDANTS' PROPOSAL (36 PARTIES)	HONEYWELL
INITIAL DISCLOSURES	Unless otherwise agreed, 10 days after scheduling order	Later of 10 days after scheduling order or last answer	Unless otherwise agreed, 10 days after scheduling order
REGULAR DISCOVERY	No mention of any postponement of regular discovery	<p><i>First Proposal:</i> Discovery to commence the later of 1 week after initial disclosures or after Honeywell identifies accused products, unless party is stayed. Discovery limited to issues of liability for identified accused products.</p>	No mention of any postponement of regular discovery
		<p><i>Alternative Proposal:</i> Honeywell's first 4 months of discovery limited to identification of specific accused products. Honeywell specifically identifies all accused products and claims infringed at 4th month. Discovery limited to issues of liability for identified accused products and personal and equitable defenses.</p>	
JOINER OF PARTIES AND AMEND PLEADINGS	March 17, 2006 (pleadings) December 5, 2005 (parties)	March 17, 2006 (pleadings) December 5, 2005 (parties)	March 17, 2006 (pleadings) December 5, 2005 (parties)

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DISCOVERY LIMITATIONS	300 hours/side for fact depositions on liability issues, plus 50 hours per party for specifics as they relate to liability. Limitations do not apply to expert discovery	300 hours/side for fact depositions on liability issues, plus 50 hours per party for specifics as they relate to liability. Limitations do not apply to expert discovery	Each party gets 50 hrs of deposition testimony from representatives or employees of each adverse party; except for discovery to Honeywell and its agents, the defendants jointly have 100 collective hours and shall each be entitled to 1 7-hour 30(b)(6) for issues specific to the defendant. Non-party discovery each side has collective 75 hours of depositions. Limitations do not apply to expert discovery
DISCOVERY CUTOFF	March 20, 2006	November 20, 2006	June 30, 2006
EXPERT REPORTS	90 days prior to discovery cut-off and rebuttal report 45 days before discovery cut-off	90 days prior to discovery cut-off and rebuttal report 45 days before discovery cut-off	90 days prior to discovery cut-off and rebuttal report 45 days before discovery cut-off <i>Alternative Proposal:</i> 120 days prior to close of discovery, each side provides expert identification on issues for which the side bears the burden along with CV with short description for each subject per witness.
INTERIM STATUS REPORT	December 22, 2005	December 22, 2005	December 22, 2005
INTERIM STATUS CONFERENCE	January 6, 2006	January 6, 2006	January 6, 2006

EVENTS	OPTREX (SINGLE PARTY)	1337/1338 DEFENDANTS' PROPOSAL (36 PARTIES)	HONEYWELL
TUTORIAL	February 24, 2006 (mentions only live, and no video presentation)	February 24, 2006 (mentions only live, and no video presentation) Limited to one-half hour for each side.	February 24, 2006 (mentions only live, and no video presentation) <i>Additional Proposal:</i> one week prior, parties exchange materials used at hearing.
DISPOSITIVE MOTIONS	Opening Briefs by April 20, 2006 Answering: + 30 days Reply: + 14 days	Opening Briefs by January 12, 2007 Answering: + 30 days Reply: + 14 days	Opening Briefs by July 15, 2006 Answering: + 30 days Reply: + 14 days
CLAIM CONSTRUCTION (CC)	Exchange list of terms: December 12, 2005 Create Joint Claim Charts for submission to Court on April 10, 2006 Simultaneous Opening CC briefs: April 20, 2006 Simultaneous Answering briefs 30 days from opening brief.	Exchange list of terms: December 12, 2005 Create Joint Claim Charts for submission to Court on June 30, 2006 Simultaneous Opening CC briefs: July 14, 2006 Simultaneous Answering briefs: August 15, 2006	Exchange list of terms: December 12, 2005 Create Joint Claim Charts for submission to Court on June 30, 2006 Simultaneous Opening CC briefs: July 14, 2006 Simultaneous Answering briefs: August 15, 2006
CC & SUMMARY JUDGMENT HEARING	June 29, 2006	March 17, 2007	September 21, 2006
FINAL PRETRIAL FILINGS	August 29, 2006	June 29, 2007	October 30, 2006
FINAL PRETRIAL CONFERENCE	September 12, 2006	July 27, 2007	November 7, 2006

EVENTS	OPTREX (SINGLE PARTY)	1337/1338 DEFENDANTS' PROPOSAL (36 PARTIES)	HONEYWELL
TRIAL	14 day trial beginning October 16, 2006, with each side having 40 hours to present their case.	<p>The parties should be prepared to discuss trial format at the Jan. 6, 2006 conference and the July 27, 2007 pretrial conference.</p> <p><i>Alternative Proposal:</i></p> <p>A 10 day trial shall commence six (6) weeks after the Final Pretrial Conference with each side having 22 hours to present their case, limited to the issues of validity and enforceability of the patent-in-suit.</p>	14 day trial beginning December 4, 2006, with each side having 40 hours to present their case.